



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON, D.C. 20370-5100

ELP
Docket No. 3479-00
18 October 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The records provided for the Board's review were incomplete. However, the Board found that you enlisted in the Navy Reserve on 20 December 1989 for eight years. You were ordered to active duty on 1 August 1990 for a period of 36 months in the Active Mariner Program. On 3 June 1991 you were honorably discharged by reason of physical disability and assigned an RE-3P reenlistment code. The specific physical disability is not shown in your record.

Regulations authorize the assignment of an RE-3P or RE-4 reenlistment code to individuals who are discharged by reason of physical disability. An RE-3P reenlistment code means the individual is eligible for reenlistment except for the disqualifying physical factor which led to the discharge. This code may be waived to allow reenlistment if recruiting medical authorities can be convinced that the disability no longer exists. An RE-4 reenlistment code means that the individual is

ineligible for reenlistment without prior approval from Commander, Navy Personnel Command. Since you have been treated no differently than others discharged under similar circumstances, the Board could find no error or injustice in your assigned reenlistment code. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director